

K062 LISTING APPLIES ONLY TO FACILITIES WITHIN THE IRON AND  
STEEL INDUSTRY

MAR 16 1987

Mr. Thomas Wackerman  
Environmental Scientist  
Applied Scientist & Technology, Inc.  
Post Office Box 1328  
Ann Arbor, Michigan 48106

Dear Mr. Wackerman:

This letter responds to your January 14, 1987, correspondence requesting the regulatory status of lime treated spent pickle liquor wastes placed on the north property of the Chem-Met Services, Inc. facility in Wyandotte, Michigan. The wastes in question were generated from non-iron and steel facilities.

On May 28, 1986, the Agency promulgated a final rule (51 FR 19320) narrowing the scope of the listing for spent pickle liquor wastes (EPA Hazardous Waste No. K062) to apply only to wastes generated by steel finishing operations that produce iron and steel. However, in promulgating this rule an error was made in the language of the listing. The Agency had intended the listing to apply to all facilities within the iron and steel industry, not to only facilities that "produce" iron and steel. Furthermore, the language was not consistent with a June 5, 1984, final rule (49 FR 23284) which excludes sludge from the lime treatment of spent pickle liquor wastes generated by facilities within the iron and steel industry from the "derived-from" rule in 40 CFR 261.3(c)(2)(i). Therefore, in a September 22, 1986, correction notice (51 FR 33612) the Agency amended the listing to apply only to wastes generated by facilities within the iron and steel industry (SIC codes 331 and 332). Thus, pickle liquor wastes from industries not in the iron and steel industrial classifications are hazardous only if they exhibit one or more of the characteristics of hazardous wastes (i.e., ignitability, corrosivity, reactivity, and EP toxicity).

Because the spent pickle liquor wastes received by Chem-Met for solidification were not generated by facilities within the iron and steel industry, these wastes are not covered  
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under the K062 listing. These wastes are hazardous wastes only if they exhibit one or more of the characteristics of hazardous wastes. Since spent pickle liquor is generally corrosive and usually contains high concentrations of chromium and lead, the pickle liquor wastes when received by Chem-Met for

treatment probably exhibited the characteristics of corrosivity and EP toxicity and, as such, were hazardous wastes. However, according to the provisions in 40 CFR 261.3(d)(1), if treatment of a characteristic hazardous waste results in a treatment residual that no longer exhibits any of the characteristics then the treatment residual is not a hazardous waste. Hence, the waste on Chem-Met's north property resulting from lime treatment of spent pickle liquor wastes is not a hazardous waste if it no longer exhibits a characteristic of hazardous wastes. As such, it can be disposed of in a Subtitle D sanitary landfill.

I hope this letter adequately addresses your concerns. If you have any further questions, you can contact me at (202) 382-4770.

Sincerely,

Jacqueline W. Sales, Chief  
Regulation Development Section

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